

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA,

- against -

MARK GONZALEZ,

Defendant.

21 Cr. 288 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

In a *pro se* letter ("Letter Motion") dated June 10, 2024, Defendant Mark Gonzalez ("Gonzalez") requests an extension of time to file a reply to the Government's response to his objections to the presentence report raised during the May 17, 2024 hearing in this matter. (See Dkt. No. 190.) This is Gonzalez's second extension request. On June 4, 2024, the Court granted Gonzalez's previous request for an extension of time to file a reply and adjourned his sentencing to July 19, 2024, to afford Gonzalez time to review the transcript ("Transcript") of the May 17 hearing. (See Dkt. No. 187.) For the reasons explained below, the Court **DENIES** Gonzalez's latest request for an extension.

In his Letter Motion, Gonzalez reports that "MDC Brooklyn went on lockdown" on June 7, 2024, due to the death of an inmate. Gonzalez claims that lockdown has prevented him from reviewing the Transcript and that it is unclear when the

lockdown would end. Standby counsel, Camille Abate, also alerted the Court regarding the MDC lockdown on June 17, 2024. The Government informed the Court the next day, however, that MDC counsel had confirmed that the lockdown ended on June 16, 2024. Thus, Gonzalez still has approximately a month after the lockdown ended to prepare and file his reply. Moreover, the Court notes that in granting Gonzalez a prior extension and adjourning his sentencing to July 19, 2024, it has already afforded Gonzalez almost two months from when the Government filed its response on May 23, 2024, to prepare a reply. (See Dkt. No. 184.) The Court therefore finds that Gonzalez's previous extension, including the weeks that still remain until his sentencing, affords him sufficient time to file his reply. The Court is also mindful that this case has been marked by frequent delays, as explained in the Court's previous order. (See Dkt. No. 174, at 3 (stating that "Gonzalez's numerous substitutions of counsel have inevitably delayed resolution of his case," that his actions have "already delayed his sentencing from January 19, 2024," and that "the Court has warned Gonzalez repeatedly that it will not countenance any further delay").)

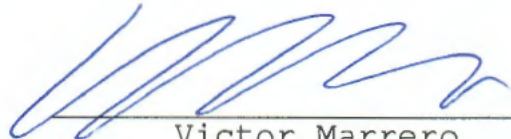
Accordingly, Gonzalez's request for an extension of time (Dkt. No. 190) is hereby **DENIED**. Gonzalez's sentencing shall proceed as scheduled on **July 19, 2024, at 3:00 P.M.**, and

Gonzalez is directed to file his reply in advance of that sentencing date.

The Government and Ms. Abate are directed to promptly provide Gonzalez with a copy of this Order. The Clerk of Court is respectfully directed to terminate the motion at Dkt. No. 190.

SO ORDERED.

Dated: 28 June 2024
New York, New York



Victor Marrero
U.S.D.J.